REMARKS

Applicant wishes to thank Examiner DeJong for extending the courtesy of a telephonic interview on September 17, 2007, with Applicant's representative Ray Akhavan. The Examiner's suggestions and comments were very helpful. In addition, Applicant thanks Examiner DeJong for withdrawal of certain rejections set forth in the Office Action mailed May 18, 2006.

Claims 36-55 are pending in this application. Claims 36-43 were previously pending, and new claims 44-55 are submitted herewith. The new claims do no present any new matter and are supported in the specification, such as in paragraphs 0018, 0023, 0040, 00047,0050-0090, 0233 (claims 44-48 and 52-55), Figure 2, paragraphs 0040, 0050, and 0233 (claim 49), paragraph 0022 (claim 50), paragraph 0232 (claim 51) which were subject to examination and the rejections set forth in the Office Action. It is earnestly believed that the claims are in a condition for allowance.

I.   Rejection under 35 USC §112, second paragraph

Claims 40-43 were rejected as being vague and indefinite. It is believed that the grounds for the rejection are rendered moot in view of the instant amendments. Therefore, Applicant respectfully requests that this rejection be withdrawn.

II.   Rejection under 35 USC § 101

Claims 40-43 were rejected as being directed to non-statutory subject matter. It is believed that the grounds for the rejection are rendered moot in view of the instant amendments. Therefore, Applicant respectfully requests that this rejection be withdrawn.

III.   Rejections under 35 USC §102

Claims 36-43 were rejected as being anticipated by US Patent 6,042,548 (Giuffre). This rejection is respectfully traversed.

The claims are directed to systems and methods requiring a sensor, a simulator and where the sensor is reconfigurable by the simulator. It is asserted that Guiffre discloses a simulation using a signal and a model, where a sensor is reconfigured by a simulator (citing Fig. 3 and col. 4, lines 6-60 and col. 6, lines 53-59). However, in reviewing the reference, it is apparent that the reference discloses that data from a cardiovascular monitor is utilized to create a simulated brain monitor means signal which it compares with an actual brain monitor means signal, and using a series of comparator

means, constructs a hybrid signal with decreased artifact. (col. 6, ll. 55-59). In other words, the simulator does not actually reconfigure the sensor, but rather, constructs a hybrid signal from two sets of sensors. This does not meet the claimed requirement of "reconfiguring a sensor". As recited in the instant claims, "reconfigurable" does not equate to utilizing different sensors to produce a hybrid signal, as asserted by the Examiner. For example, the instant specification discloses in one embodiment, a biocatalytic chip which is software programmable from the simulator (e.g., systems-biology platform or through wireless external communication unit), which can result in activation, deactivation, manufactured or disassembled). (e.g., paragraph 0224). In another embodiment, "reconfigurable" means a sensor(s) can be personalized by the simulator, so that the sensor (e.g., tissue scaffold) is reconfigured based on the individual need. (e.g., paragraph 0225). Thus, reconfigured in this sense encompasses reconfiguring a sensor or multiple sensors, and not merging two sets of signals to reduce background/noise, as Giuffre discloses.

In addition, Giuffre does not teach or suggest the claimed embodiments comprised in the new claims. As such, Applicant respectfully requests that this rejection be withdrawn.
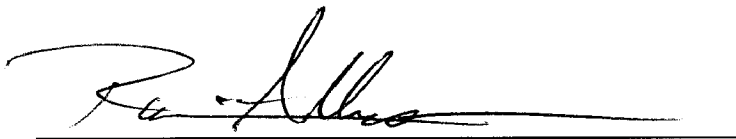
CONCLUSION

Applicant respectfully solicits the Examiner to expedite the prosecution of this patent applicant to issuance. Should the Examiner have any questions or believes it would be beneficial as to any issues above, the Examiner is encourage to telephone the undersigned.

Respectfully submitted,

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